

WATER STREET TREE REMOVAL HEARING
November 15, 2016

A meeting was held at approximately 7:10 PM at the Warren Town Hall, Town Council Chambers.

Those present were:

<i>Town Staff:</i>	John Massed, Director of Public Works
	Jan Reitsma, Town Manager
	Kate Michaud, Town Planner
<i>Consultants:</i>	Len Bradley, DiPrete Engineers
	Michael Dowhan, Veri Waterman (Registered Landscape Architect)

Fifty-three (53) members of the public signed in on the attendance sheet.

Mr. Reitsma provided introductions and briefly reviewed the scope and objectives of the hearing. He noted that the hearing was being held in accordance with the requirements of the Tree Ordinance, in order to provide explanation as to which trees were proposed for removal and why. He noted that this was a DPW hearing, and that DPW Director John Massed would make the final decision on tree removal. He stressed that no one likes to remove trees without good reason.

Mr. Reitsma provided information regarding the larger plan for Water Street, which includes water, sewer and gas projects. He stated that the streetscape project began 7 or 8 years ago, with planning beginning in earnest in 2012 with funding obtained from RIDOT (RI Department of Transportation). He stated that in 2013 and 2014 a full site assessment was performed and public meetings were held. A tree inventory was produced, with a tree by tree analysis of the health of the tree and potential safety issues. In 2014, a 30% design for the streetscape, including curb and sidewalk replacement, new lighting and a tree plan, had been submitted to RIDOT for review. Review of the plan continued until 2015. Currently, a 90% plan was almost complete and would be formally submitted shortly.

Mr. Reitsma noted that in 2015 funding for this project was lost; RIDOT took the funds back. The Town was able to get the funds back with help from local legislators. The project, however, had stalled due to reduced hours in the Planning Department and little advancement was made. In 2016, the project was revived but with new complications due to:

- Tourister Mill's installation of a new sewer force main.
- Bristol County Water Authority's installation of a new water main with new service connections.
- National Grid's gas line and service connection replacement.

With all of these projects occurring within Water Street in the same time frame, the project became much more complex. Mr. Reitsma stated that the Town had convened a coordination group, with monthly meetings, in an effort to complete all projects within one construction season. In order to work towards that goal, construction work would need to begin in very early spring, 2017. Therefore, tree removal must occur in fall, 2016. Mr. Reitsma noted that without coordination it was possible that these projects could stretch out over several years, exacerbating impacts on residents and businesses.

Mr. Reitsma stated that the Town had fully expected to have time to hold a hearing and get an article in the paper before tree removal, however that had not occurred. He noted that DPW had been under pressure to get the work done, and that he was not surprised that members of the public were upset. He apologized for the lack of public announcement.

Mr. Reitsma noted that there would be some time to finalize the streetscape plans, especially with regard to placement of new trees, the use of planters, the number and placement of new decorative lighting and the type of plantings proposed. He noted that landscaping helps the Town to deal with stormwater issues as well.

Mr. Reitsma stated that he and Mr. Massed had walked Water Street and agreed to remove fourteen (14) trees from the list of trees to be removed. Three criteria were used in their assessment:

1. The health of the tree.
2. Conflicts with utility lines and the potential for increased outages, delay in restoring power and the risk associated with restoring power.
3. Sidewalk safety, including the need to be compliant with the Americans with Disabilities Act (ADA) and the need to remove trip hazards.

Mr. Reitsma stated that trees not meeting one or more of these criteria would remain.

Mr. Massed noted that the field of urban forestry was fairly new. He stated that some of the trees on Water Street were beautiful, and some were in poor shape. He added that appropriate tree species selection was not always considered in the past. Mr. Massed stated that Norway Maples were fast growing and that most were planted 25-30 years ago. He noted that these trees have very shallow roots. He stated that there was an Ash tree that was growing sideways. Mr. Massed noted that 10 years ago Locust trees were thought to be good street trees, but that the root systems of these trees were extending 15 feet along the top of the curb line.

Mr. Massed stated that the streetscape project was being funded with Federal money, and that ADA requirements must be met. He stated that the goal was to make safe, passable sidewalks and to try to prevent problems a few years down the road. Mr. Massed noted that while another 14 trees had been put on the list to try to save, one was a pear tree that would split over time and would not be viable long term. He added that pruning would not help if the species selection was improper. He stated that he would try to save trees with a decent tap root that could be pruned without damaging the structure of the tree. He stated that he had been working on different sections of Water Street since 2005.

An audience member asked what types of trees would be replanted. Mr. Massed referred to the visual aids present at the meeting, which depicted several species including:

- Slender Silhouette Sweetgum
- Armstrong Red Maple
- Mushashino Columnar Zelkova
- Columnar Sargent Cherry
- Princeton Sentry Maidenhair (Male Clone Ginko)

He noted that this was still up for discussion.

An audience member asked about moving powerlines underground. Mr. Massed noted that it was very expensive and that National Grid would not cover the cost. He stated that a rough estimate put the cost at around \$3.75 million plus the cost of service connections. Discussion ensued.

An audience member asked if money was included in the project budget for the new trees. Mr. Massed replied in the affirmative. Mr. Reitsma noted that the Town had applied for additional funding through the Community Development Block Grant (CDBG) program, but had not heard yet if the funds would be awarded.

Architect Jay Litman, with an office at 259 Water Street, stated that his staff had walked the street and found that many of the trees did not meet the criteria for removal. He stated that trees add to the historic fabric of the street and removing them affects property values. He stated that the Red Oak across the street from his office did have a tap root and could be pruned. Mr. Massed stated that the Red Oak would be saved. Mr. Reitsma noted that there were still concerns regarding the stability of this tree after pruning. Mr. Litman asked the Town to live with a little risk, and offered to have his staff walk the street with Town staff. Mr. Massed agreed to perform a site walk on Thursday, November 17 at 9:00 AM.

John Treat stated that some of the trees appeared to be healthy. He asked the Town to post the criteria for removal online. Pat Goldberg noted that some of the trees had been damaged by trucks, and asked why trucks are allowed on Water Street. Mr. Massed noted that there were many businesses and restaurants.

Gail Major read a statement aloud stating that it was important to keep trees that are alive and well. She noted that they provide shade and have soul. She also noted that they help to dampen the sound of truck traffic. An audience member asked if the Town would grind out the stumps. Mr. Massed replied that they would be cut flush and pulled out when the sidewalk work occurs. An audience member asked if all the trees would be cut at once. Mr. Massed replied that the cutting would take approximately one week. He noted that the street would not be closed for tree work, but that parking restrictions would be in place.

An audience member stated that some of the trees were obviously lacking. He asked if there were any renderings of the finished project. He stated that the Town was asking residents to trust in the tree removal plan without seeing the final product. He supported Mr. Litman's proposal for a site walk.

Sam Hoag, one of Mr. Litman's staff members, asked the Town to consider preserving trees with a 20" or greater caliper, even if the species was not ideal. Mr. Massed replied that ADA compliance must be achieved. Mr. Hoag asked about Tree #54, an Ash tree. Mr. Dowhan stated that there was a concern with Emerald Ash Borers.

An audience member inquired about coordination with National Grid. Mr. Massed replied that National Grid would cut trees on the side with the power lines (the west side), but would not cut trees on the opposite side. DPW would cut those trees. Mr. Massed noted that his men could not cut trees around the wires.

Bob Major stated that he had a background in preservation, and that tree removal would take away the uniqueness of the Historic District. He asked the Town to honor the District, noting that maintenance was required to prevent this District from looking like many others. He stated that the Town should do as little as possible to alter the District, and that it should think outside of the box. Mr. Massed noted that historic photos depict that there were no trees on Water Street. Mr. Reitsma noted that the Town will not cut down trees simply because they require too much maintenance, but that diseased or damaged trees must be removed. He stressed that the Town does was to preserve the character and energy of the street with a unique streetscape. He noted that the area is special and that no one wants it to look like everywhere else.

Davison Bolster read a statement aloud. He noted that historically the Town had cut down trees and left stumps with no replanting. He stated that the Tree Ordinance requires two new trees to be planted in the place of each tree removed. Mr. Bolster suggested that a stump grinder should be included in the upcoming budget. He also asked how the orange "X" marks would be covered on the trees to be saved. Mr. Bolster stated that it takes enormous effort for trees to establish roots under these conditions, and that there were no trees on the street in the 1970's. He stated that it has taken 40 years to establish these trees. He noted that the lights in the trees were important to the Christmas celebration. He asked the Town to be creative to come up with alternatives. Mr. Bolster added that a tree maintenance program was needed. He concluded by asking the Town to leave all the trees in place until spring. He stated that he would be willing to mark the trees with red and green ribbons to show which trees would stay and which would go.

Chuck Staton stated that he is a member of the Tree Commission and a licensed arborist. He stated that if the Ash tree has borers, it must come down. He stated that the Tree Commission did discuss this plan back in 2013. He noted that the proposed new plantings had a very narrow canopy, and that he would like to look at options to create a wider canopy. He stated that he would like to ask private property owners to accept a tree for planting in order to increase the number of trees.

Heidi Trimbach noted that tree removal would cause more heat from the sun, increasing the amount of energy needed to cool homes and cars. She also stated that commerce would be affected. Jane McDougall asked about burying the power lines. Mr. Massed stated that the estimate he received in 2002 was \$1,000 per foot, including the many manholes that would be required. Discussion ensued. Mr. Reitsma stated that if it was realistically possible, the Town would support the idea. Mr. Massed added that there is high voltage running down Water Street, and that there was a concern with running these lines underground where they could be exposed to water. Ms. McDougall asked if the cost would be less since the road would already be excavated for the utility project.

Mr. Bradley stated that the digging is the least expensive part, and that the expense comes from the PVC conduit, manholes, vaults and labor costs. He added that this would be a total separate trench, and that the three lines in the street would need to be separated. He stated that this issue had been considered and found to be prohibitively expensive.

Dr. Chris Luttmann stated that trees produce oxygen and consume carbon dioxide. He expressed concern regarding the message being sent to the younger generation, noting that these issues are not always “black and white”. He asked the Town to look at each and every tree and come to a compromise to make sure that trees to be removed really need to come down. Mr. Reitsma stated that they would go out on site again, but that the Town respects the work done by the consultants and needs to be careful not to set up unreasonable expectations. He agreed that a long-term tree management plan was needed. He also noted that the Town would take into account things like climate change and the heat effect.

Mark Olberg stated that he had a diseased tree in front of his home at 211 Water Street and that it has to come down. He stated that the top of the tree had been destroyed through improper pruning. He stated that he had planted a number of trees on his property proactively. He asked what would happen to the orange “x” marks. Mr. Massed replied that he would take care of the “x” marks, possibly by covering them with brown paint. Mr. Olberg asked about the stump at the corner of Baker and Water Street. Mr. Massed replied that someone had originally carved the stump, but that it did need to be removed.

An audience member questioned the urgency, asking if the utility projects can go forward without removing trees. Mr. Massed replied that water and sewer laterals to the houses would disturb roots and trees, requiring the tree removal to happen first. Mr. Litman suggested that, since this is a Historic District, RIDOT would be flexible. He asked if RIDOT had met with the planner to request relief from strict standards. He also inquired about the type of lights proposed and the appearance of the new sidewalk. He added that the Christmas season was very important to business, and that the timing was not good. Mr. Reitsma stated that there was public process in developing this plan, and that there was a vision to create something healthier, safer, but still unique. He stressed that further delay will result in losing funding again. He stated that the Town has a history of not using grant money in a timely fashion.

Karen Dionne, Chair of the Economic Development Board, stated that she attended a charrette on this topic 3 or 4 years ago at the Wharf Tavern. She noted that the sidewalk was in dire need of repair, and that trying to work around the trees would reduce the scope of the project. She noted that many of those who attended the charrette walked the street to come up with this plan to enhance the character of Water Street.

John Chaney, 172 Water Street, noted that the tree in front of his house was heaving the sidewalk badly. He asked what the cost would be to donate a tree. Mr. Dowhan noted that the tree would cost about \$300 plus labor, for a total of about \$1,000, and it would come with a one-year warrantee. He stated that he would look to extend the warrantee to two years. Mr. Chaney suggested that if lights can’t be hung on the trees, residents should place white candles in the windows.

Town Councilor Joseph DePasquale stated that the Manager and the Town Council would look at any funding gap in the budget process. He stated that the Town is committed to the project and that the input is greatly appreciated. An audience member asked if the trees were being cut down simply to keep the grant. Mr. Reitsma replied in the negative, apologizing if he made it sound that way. He stated that the trees would need to be removed because of health and safety concerns, and that doing it now would speed up the construction process. He stressed that an early start could possibly allow the projects to incur in one construction season, instead of 3 or 4. He stated that the goal was to minimize disruption to the community.

Kathy Pannoni, a Tree Commission member, stated that there has been a vacancy on the Tree Commission for a year. She invited applicants expressed her appreciation for everyone attending the meeting to discuss trees. She expressed concern with the timing of the tree removal, just before Christmas, asking if it could be postponed

until after Christmas. She opined that some more trees could be saved. Ms. Pannoni stated that there should be a timeframe provided for replanting, since the Tree Ordinance is silent on this issue.

Mr. Massed stated that there was a lot of work to do, and that while it was possible to do within one construction season, it was doubtful. He stated that the gas company would ideally begin work at the end of February, and that the trees would need to be removed before weather became a concern.

An audience member expressed concern regarding maintenance and replacement of trees that don't survive. Mr. Reitsma stated that he would like to see the Tree Commission empowered to develop a Tree Management Plan, noting that the Town will continue to run into these same issues. Mr. DePasquale asked residents to adopt a tree in front of their property; to help with watering and report problems. Mr. Massed noted that there were approximately 10,000 trees in town that must be maintained and 12 DPW workers.

Ann Raver noted that National Grid comes in and hacks out the center of the tree. She asked why we allow National Grid to do this work and if the Town could instead hire an arborist and take over pruning. Mr. Reitsma replied that these are good ideas, and that a protocol should be developed to avoid damaging trees. He added that tree selection is very important.

Mr. Massed confirmed that a walk-through would be held on Thursday, November 17 at 9:00 AM, and that they would meet at the corner of Baker St and Water St. Mr. Dowhan noted that tree preservation measures were incorporated into the streetscape plan, with air vents for tree roots in the sidewalk design. Mr. Hoag asked if some smaller trees could be relocated instead of cut down.

With this, at 9:10 PM, the hearing ended.

Prepared by: Kate Michaud